

FILED

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RICHARD W. WIEKING
CLERK, U. S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROGER SCHLAFLY,)	CIVIL NO. 94-20512 SW
)	
Plaintiff,)	SCHEDULING ORDER
)	
v.)	
)	
PUBLIC KEY PARTNERS and RSA)	
DATA SECURITY, INC.)	
)	
Defendants.)	

The parties shall adhere to the following schedule for trial and pretrial matters:

1. Validity Motions: All pending validity motions will be heard on July 8, 1997 in San Jose. Supplemental Opening Briefs, if any, shall be filed on or before June 3, 1997. Supplemental Opposition Briefs, if any, shall be filed on or before June 17, 1997. Supplemental Reply Briefs, if any, shall be filed on or before June 24, 1997.
2. Discovery Completion for the unlawful business practices and antitrust claims: All discovery shall be completed by July 31, 1997.

cc. ✓

3. Pretrial Motions: All pretrial motions concerning the unlawful business practices and antitrust claims must be filed on or before July 23, 1997 in accordance with Civil Local Rule 7-2 and set for hearing on or before August 27, 1997.
4. Pretrial Conference: The parties shall appear before this Court for a pretrial conference on October 14, 1997 at 1:30 p.m.
5. Motions in limine: Motions in limine will be heard at the pretrial conference and shall be noticed for hearing in accordance with Civil Local Rule 7-2. Briefs in support of or in opposition to motions in limine may not exceed five pages; reply briefs may not exceed two pages; and all briefs must otherwise comply with Judge Williams' Standing Order.
6. Trial: Trial will begin on October 20, 1997 at 9:30 a.m. in courtroom # 4, on the 5th floor of the United States Courthouse, 280 South First Street, San Jose, CA 95113, or as soon thereafter as the court may designate. All parties are advised that they must be prepared to go to trial on a trailing basis.
7. Jury Instructions: Proposed jury instructions shall be filed no less than seven days before the date set for

1 trial. The parties shall meet and confer before the due
2 date for filing jury instructions to work out stipulated
3 instructions. Objections to proposed jury instructions
4 shall be filed the first day of trial.

5
6 8. Voir Dire: Proposed voir dire questions shall be filed
7 no less than seven days before the date set for trial.

8
9 9. Findings of Fact and Conclusions of Law: For court
10 trials, proposed findings of fact and conclusions of law
11 shall be filed no less than seven days before the date
12 set for trial.

13
14 10. Exhibits:

15 a. Not less than fourteen days before the date set for
16 trial, the parties shall meet and confer as to:

17 (1) which of each party's exhibits may be admitted
18 at trial without objection; and

19 (2) the numbering system that will be used to mark
20 the exhibits.

21 b. Not less than seven days before the date set for
22 trial, the parties shall:

23 (1) supply the court, the clerk and the court
24 reporter with a list of exhibits to be
25 offered, indicating the number and a brief
26 description of each exhibit;

- (2) supply the court with an extra copy of each exhibit to be offered; and
- (3) file objections as to exhibits. Objections should include a brief description of the nature of the objection (e.g. relevance, hearsay, etc.).


11. Depositions:

- a. No less than fourteen days before the date set for trial, the parties shall exchange deposition testimony they plan to offer at trial. No less than seven days before the date set for trial, the parties shall exchange and file objections to deposition testimony being offered.
- b. Each party shall select a distinctive color and highlight all portions being offered. Each party shall use the same color to underline the portion(s) of another party's testimony to which there is an objection.
- c. In a separate document, the parties shall include a table listing the name of the deponent, the page and line numbers of the testimony being objected to and a brief description of the nature of the objection (e.g. relevance, hearsay, etc.).

12. Witnesses: The parties shall incorporate in the pretrial statement a list of witnesses whom they intend to call at trial and:
- a. indicate whether the witness will testify live or by deposition;
 - b. briefly describe the subject matter of the witness's testimony; and
 - c. estimate how long direct examination of each witness will take.

IT IS SO ORDERED.

DATE: 4/17/97


SPENCER WILLIAMS
United States District Judge